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SCOTUS-CIA
BY JAMES H. RUBIN

WASHINGTON (AP) -- THE SUPREME COURT HAS DEALT A ''TERRIBLE SETBACK'' TO THE PUBLIC'S RIGHT TO KNOW ABOUT POTENTIAL ABUSES BY THE NATION'S SPY AGENCIES, SAYS A LAWYER FOR AN ORGANIZATION THAT UNSUCCESSFULLY SOUGHT TO LEARN THE IDENTITIES OF SOME CIA INTELLIGENCE SOURCES.

ALAN LEVY, REPRESENTING THE RALPH NADER GROUP PUBLIC CITIZEN, SAID A NEW COURT RULING THAT ALLOWS THE CIA A FREE HAND IN CONCEALING INTELLIGENCE SOURCES WILL HAVE A BROAD IMPACT.

THE DECISION IS ''A TERRIBLE SETBACK FOR THE PUBLIC'S RIGHT TO LEARN ABOUT ABUSES BY NATIONAL SECURITY AGENCIES AND FOR THE PRINCIPLE THAT DECISIONS OF THOSE AGENCIES ARE SUBJECT TO JUDICIAL REVIEW,'' LEVY SAID.

THE COURT RULED 7-2 TUESDAY THAT THE DIRECTOR OF CENTRAL INTELLIGENCE HAS SWEEPING POWER TO PROTECT NOT ONLY SECRET AGENTS BUT ALL OTHER SOURCES OF INFORMATION -- CLASSIFIED AND UNCLASSIFIED. THAT INCLUDES THE NAMES OF PRIVATE SCIENTISTS AND RESEARCHERS, AND EVEN ACADEMIC JOURNALS, THE COURT SAID.

THE OPINION, WRITTEN BY CHIEF JUSTICE WARREN E. BURGER, ENDORSED THE REAGAN ADMINISTRATION'S POSITION THAT THE CIA IS NOT REQUIRED TO SHOW THAT A PARTICULAR INTELLIGENCE SOURCE WAS PROMISED ANONYMITY OR THAT NATIONAL SECURITY IS AT STAKE DIRECTLY IF A SOURCE'S IDENTITY IS REVEALED.

''CONGRESS INTENDED TO GIVE THE DIRECTOR OF CENTRAL INTELLIGENCE BROAD POWER TO PROTECT THE SECRECY AND INTEGRITY OF THE INTELLIGENCE PROCESS,'' BURGER SAID.

''THE REASONS ARE TOO OBVIOUS TO CALL FOR ENLARGED DISCUSSION,'' HE SAID, ''WITHOUT SUCH PROTECTIONS THE AGENCY WOULD BE VIRTUALLY IMPOTENT.''

THE ADMINISTRATION ALSO HAS BEEN URGING CONGRESS TO BROADEN EXEMPTIONS FROM THE FREEDOM OF INFORMATION ACT FOR INTELLIGENCE AND LAW ENFORCEMENT AGENCIES. BUT IT IS UNCLEAR WHAT IMPACT THE NEW RULING WILL HAVE ON THAT EFFORT.

TUESDAY'S DECISION OVERTURNED A RULING THAT COULD HAVE FORCED THE CIA TO DISCLOSE THE NAMES OF COLLEGE RESEARCHERS AND OTHERS WHO CONTRIBUTED TO A NOTORIOUS PROJECT IN THE 1950S AND 1960S, CODE-NAMED MKULTRA, INVOLVING BRAINWASHING AND EXPERIMENTAL DRUGS LIKE LSD BEING ADMINISTERED TO UNSUSPECTING INDIVIDUALS.

AT LEAST TWO PEOPLE DIED BECAUSE OF THE EXPERIMENTS.

AP-WX-04-17-85 1023EST

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